

REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicant: supplies a new Abstract on a separate page; amends claims 1-17; delete claims 18-20 without disclaimer of the underlying subject matter or prejudice against future prosecution; and adds new claims 21-23.

Accordingly, claims 1-17 and 21-23 are pending in the application.

Claims 1-17 are amended for non-statutory reasons, to delete reference numerals, and to correct a couple of very minor typographical errors. The claims are not narrowed in scope and no new matter is added.

Reexamination and reconsideration are respectfully requested in view of the following remarks.

SPECIFICATION

By this Amendment, Applicant supplies a new Abstract on a separate sheet.

Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

CLAIM OBJECTIONS

By this Amendment, Applicant adds the period to the end of claim 1.

Accordingly, Applicant respectfully requests that the objection to the claims be withdrawn.

35 U.S.C. § 101

By this Amendment, claims 18-20 are canceled without disclaimer of the underlying subject matter or prejudice against future prosecution.

Accordingly, Applicant respectfully submits that the rejection of claims 18-20 is moot.

35 U.S.C. § 103

The Office Action rejects 1, 3-6, 9, 11-14 and 17 under 35 U.S.C. § 103 over Leung et al. U.S. Patent Publication 2002/0095673 ("Leung") in view of Jagels U.S.

Patent Publication 2003/0182429 ("Jagels"); claims 2 and 10 under 35 U.S.C. § 103 over Leung in view of Jagels and further in view of McRae U.S. Patent 6,115,079 ("McRae"); and claims 7-8 and 15-16 under 35 U.S.C. § 103 over Leung in view of Jagels and further in view of Schein et al. U.S. Patent 6,388,714 ("Schein").

Applicant respectfully traverses those rejections for at least the following reasons.

Claim 1

Among other things, the device of claim 1 includes a processor configured to allow access to received content only when a descriptor stored in a memory of the device is substantially identical to an origin code embedded in the received content.

The Office Action fails to cite anything in any of the prior art references which discloses or suggest this feature.

The Office Action states that Leung discloses a processor (20) that allows access to content based on whether information in memory (22) – stored in response to user inputs – matches V-chip information included in a broadcast stream.

However, Leung does not include a processor that allows access to received content only when a descriptor stored in a memory of the device is substantially identical to an origin code embedded in the received content.

Now the Office Action states that Jagels discloses "a descriptor" (citing paragraph 0081 and FIG. 8) and an "origin code" (citing paragraph 0059), and that it would have been obvious to modify Leung "*for the advantage of identifying the source of content.*"

However, this fails to explain at all why it would have been obvious to modify Leung to have its processor allow access to received content only when a descriptor stored in a memory of the device is substantially identical to an origin code embedded in the received content. How does "*identifying a source of content*" in any way suggest the need for configuring a processor to allow access to received content only when a descriptor stored in a memory of the device is substantially identical to an origin code embedded in the received content? Applicant submits that it doesn't.

Furthermore, the so-called "origin code" in paragraph 0059 of Jagels is

actually an Ethernet address of a content server 322 that is included in a message header. Applicant sees nothing in Jagels that discloses that any processor at a DHCT 16 should allow access to received content only when a descriptor stored in a memory of the DHCT 16 is substantially identical to a particular Ethernet address of a content server 322 that is received in received content.

Also, regarding the cited FIG. 8 and paragraph 0081, Applicant respectfully notes that the DRM 334 in Leung is not a Digital Rights Manager – as mentioned on page 4 of the Office Action – but is instead a Digital **Resource** Manager at the transmission head end 11 where content is transmitted (not received) whose purpose is to efficiently manage sessions and resource allocation within headend 11.

So Jagels does not disclose any descriptor stored in a memory of a device that receives content.

Therefore, no possible combination of Leung and Jagels could ever possibly produce the device of claim 1.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 1 is clearly patentable over the cited art.

Claims 3-6

Claims 3-6 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1, and for the following additional reasons.

Claims 3-5

Among other things, in all of the claims 3-5, usage rules are further embedded in the received content.

The Office Action states that Leung discloses that a user programs which content is to be blocked and unblocked.

However, the user does not do this by embedding anything in any received content. The user certainly does not do this by embedding any usage rules in received content.

The Office Action does not cite anything in Leung that discloses that usage rules are embedded in received content.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claim 3-5 are patentable over the cited art.

Claim 6

Among other things, in claim 6 an origin code embedded in received content is related to an origin of the received content.

The Office Action states that Leung discloses a “*v-chip related to an origin of said content*” and that “*Jagels discloses origin code.*”

First, the V-chip is not “*related to an origin of [any] content.*”

Second, claim 6 recites an origin code embedded in received content is related to an origin of the received content. A V-chip is not embedded in received content.

Third, Jagels’ so-called “origin code” is an Ethernet address of a content server 322 in a message header at a headend.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claim 6 is patentable over the cited art.

Claim 9

Among other things, the method of claim 9 includes allowing access to content only when a descriptor embedded in the device, and an origin code embedded in the content, are substantially identical.

As explained above with respect to claim 1, Applicant respectfully submits that no possible combination of the cited art suggests such an operation.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 9 is clearly patentable over the cited art.

Claims 11-14 and 17

Claims 11-14 and 17 all depend from claim 9, and for the following additional reasons.

Claims 11-13

Among other things, in all of the claims 11-13, the method includes reading usage rules that are further embedded in the received content.

The Office Action states that Leung discloses that a user programs which

content is to be blocked and unblocked.

However, the user does not do this by reading any usage rules embedded in received content.

The Office Action does not cite anything in Leung that discloses reading usage rules that are embedded in received content.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claim 11-13 are patentable over the cited art.

Claim 14

Among other things, in claim 14 an origin code embedded in received content is related to an origin of the received content.

The Office Action states that Leung discloses a “*v-chip related to an origin of said content*” and that “Jagels discloses origin code.”

First, the V-chip is not “*related to an origin of [any] content*.”

Second, claim 6 recites an origin code embedded in received content is related to an origin of the received content. A V-chip is not embedded in received content.

Third, Jagels’ so-called “origin code” is an Ethernet address of a content server 322 in a message header at a headend.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claim 14 is patentable over the cited art.

Claims 2 and 10

Claims 2 and 10 depend from claims 1 and 9 respectively.

Applicant respectfully submits that McRae does not remedy the shortcomings of Leung and Jagels as set forth above with respect to claims 1 and 9.

Accordingly, Applicant respectfully submits that claims 2 and 10 are patentable for at least the reasons set forth above with respect to claims 1 and 9.

Claims 7-8 and 15-16

Claims 7-8 and 15-16 depend from claims 1 and 9 respectively.

Applicant respectfully submits that Schein does not remedy the shortcomings of Leung and Jagels as set forth above with respect to claims 1 and 9.

Accordingly, Applicant respectfully submits that claims 7-8 and 15-16 are patentable for at least the reasons set forth above with respect to claims 1 and 9.

NEW CLAIMS 21-23

Among other things, all of the claims 21-23 include means for reading an origin code embedded in received content, wherein the origin code identifies a geographical area of origin of the received content.

Applicant respectfully submits that the cited art taken collectively does not disclose or suggest such features.

Accordingly, for at least these reasons, Applicant respectfully submits that claims 21-23 are all patentable over the cited art.

CONCLUSION

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-17 and 21-23 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

VOLENTINE & WHITT



By: _____

Kenneth D. Springer
Registration No. 39,843

VOLENTINE & WHITT
One Freedom Square
11951 Freedom Drive, Suite 1260
Reston, Virginia 20190
Telephone No.: (571) 283.0724
Facsimile No.: (571) 283.0740